IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No. 5516 of 2006

Date of Decision: 19.10.2006

Raj Kumar & Ors. ...Petitioners

Vs.

Rajender ...Respondent

CORAM Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr.N.K.Malhotra, Advocate,
for the petitioners.

Vinod K.Sharma, J. (Oral)

Objection petition filed by the petitioners has been rejected by the Executing Court by holding that the petitioners were parties to the award and therefore, it was not open to them to challenge the award on merit.

Learned counsel for the petitioners submitted that the objector-petitioners have been wrongly impleaded as no accident had

occurred as alleged. However, as observed by the learned Executing Court, once the petitioners being party to the proceedings before the Tribunal did not contest the same, it is not open to them now to challenge the finding in the Executing Court on merit as the Executing Court cannot go behind the decree.

Accordingly, the revision petition being without merit is dismissed.

(Vinod K.Sharma)
19.10.2006 Judge
rp